

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JOHN FULTON,	)	Case No. 20-cv-3118
	)	
<i>Plaintiff,</i>	)	Hon. Joan H. Lefkow
	)	District Judge
v.	)	
	)	Hon. Maria Valdez
ROBERT BARTIK, <i>et al.</i>	)	Magistrate Judge
	)	
<i>Defendants.</i>	)	JURY TRIAL DEMANDED

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ANTHONY MITCHELL,	)	Case No. 20-cv-3119
	)	
<i>Plaintiff,</i>	)	
	)	[Consolidated with <i>Fulton v. Bartik</i>
v.	)	for pre-trial purposes]
	)	
ROBERT BARTIK, <i>et al.</i>	)	
	)	
<i>Defendants.</i>	)	JURY TRIAL DEMANDED

**MOTION SEEKING ORDER FROM COURT TO SEND ITEMS FOR THIRD PARTY  
WITNESS TESTIFYING WHILE IN CUSTODY**

Plaintiffs in the above-captioned matters seek an order from the Court directing the Stanley Correction Institute to permit Plaintiffs the ability to send Mr. Antonio Shaw, a key witness in this matter, a shirt and tie for his trial testimony, which he will be taking while in custody.

As the Court is aware, Mr. Shaw is a key witness in this case and is currently incarcerated at the Stanley Correctional Institute in Stanley, Wisconsin. Despite the efforts of counsel for both Plaintiffs and Defendants, Mr. Shaw will be providing his trial to testify from the Stanley Correctional Institute.

Plaintiffs are concerned that they will be unduly prejudiced if Mr. Shaw testifies while wearing his prison-issued uniform instead of plain clothes. Courts in the Seventh Circuit have concluded, in the context of both civil and criminal cases, that prison clothes can have an unfairly prejudicial effect against a party. *See, e.g., Maus v. Baker*, 747 F.3d 926, 927-28 (7th Cir. 2014). There is a real danger that the jury will disregard Mr. Shaw's testimony because he appears to testify in a prisoner's uniform rather than plain clothes. And to be clear, Plaintiffs are not seeking to hide the fact that Mr. Shaw is incarcerated – the Court has already ruled that Mr. Shaw's 2018 conviction, for which is currently incarcerated, is admissible for impeachment purposes. *See* Fulton Dkt. 399. Rather, Plaintiffs seek to avoid a situation in which Mr. Shaw's prison uniform itself serves to impeach or discredit his testimony.

Plaintiffs have attached a Proposed Order (Exhibit 1) that the Court may send to Stanley Correctional Institute directing them to permit Mr. Shaw to testify for this trial wearing a shirt and tie sent by Plaintiffs' counsel. Prior to doing so, Plaintiffs' counsel will send a photograph to Defendants of the shirt and tie they plan to send Mr. Shaw.

DATED: February 4, 2025

Respectfully submitted,

**PLAINTIFF JOHN FULTON**  
**PLAINTIFF ANTHONY MITCHELL**

BY: /s/ Julia Rickert  
One of Plaintiffs' Attorneys

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**CERTIFICATE OF SERVICE**

I, Julia Rickert, an attorney, hereby certify that on February 4, 2024, I served the foregoing document to be served on all counsel of record by using the Court's CM/ECF system.

/s/ Julia Rickert